

PATENT USSN: 09/963,790
Atty Dkt: 032301WD230

LISTING OF THE CLAIMS

IN THE CLAIMS:

Please amend the claims as follows:

- 1-4. (Canceled)
5. (Previously presented) An isolated polynucleotide comprising the nucleic acid sequence of SEQ ID NO: 1.
- 6-8. (Canceled)
9. (Previously presented) An isolated polynucleotide which encodes a polypeptide that comprises the amino acid sequence of SEQ ID NO: 2.
- 10-11. (Canceled)
12. (Original) An Escherichia coli strain Top10/pXK99EdeaD deposited as DSM 14464.
- 13-33. (Canceled)
34. (Previously presented) An isolated polynucleotide comprising nucleotides 259 to 2130 of SEQ ID NO: 1.
35. (Previously presented) An isolated polynucleotide consisting of SEQ ID NO: 1 or a fragment of SEQ ID NO: 1 that encodes a polypeptide having the enzymatic activity of a DNA/RNA helicase.
36. (Canceled)
37. (Previously presented) An isolated polynucleotide comprising the nucleotide sequence of the

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complete complement of SEQ ID NO: 1.

38. (Currently amended) A vector comprising the isolated polynucleotide of any of the claims 5, 9, 34, 35 or 37.

39. (Canceled)

40. (Previously presented) An isolated polynucleotide consisting of a DNA fragment of SEQ ID NO: 1, wherein said fragment consists of at least 30 consecutive nucleotides.

41. (Canceled)

42. (Previously presented) An isolated polynucleotide consisting of a DNA fragment of the complete complement of SEQ ID NO: 1, wherein said fragment consists of at least 30 consecutive nucleotides.

43. (Currently amended) A vector ~~comprising an isolated polynucleotide, wherein said isolated polynucleotide consists of the isolated~~ which consists of the vector nucleic acid and the polynucleotide of claim 40 or 42.

44. (Previously presented) The vector of claim 43, wherein said vector is pXK99EdeaD deposited in Escherichia coli Top/pXK99EdeaD under DSM 14464.

45. (Canceled)

46. (Currently amended) ~~The primer of claim 45, wherein said DNA fragment consists of at least 40 consecutive nucleotides~~ An isolated nucleic acid primer or probe consisting of a DNA fragment of SEQ ID NO: 1 or its complement, wherein said fragment consists of at least 30 consecutive nucleotides.

47. (Canceled)

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48. (Currently amended) ~~The probe of claim 47, wherein said DNA fragment consists of at least 40 consecutive nucleotides~~ An isolated nucleic acid primer or probe consisting of a DNA fragment of SEQ ID NO: 1 or its complement, wherein said fragment consists of at least 40 consecutive nucleotides.

49-50. (Canceled)

51. (Previously presented) A recombinant host cell of the genus *Corynebacterium* or of the species *Escherichia coli* comprising the vector of claim 43.

52. (Previously presented) The host cell of claim 51, wherein said host cell is of the species *Corynebacterium glutamicum*.

53. (Previously presented) A vector comprising an isolated polynucleotide, wherein said isolated polynucleotide consists of the isolated polynucleotide of claim 35.

54. (Previously presented) A bacterium of the species *Escherichia coli* comprising a vector which includes an isolated polynucleotide, wherein said isolated polynucleotide consists of the isolated polynucleotide of claim 35.

55. (New) A method for producing a protein which comprises
cultivating a recombinant host cell of the genus *Corynebacterium* or of the species *Escherichia coli* containing a nucleic acid sequence selected from the group consisting of
(a) an isolated polynucleotide comprising the nucleotide sequence of SEQ ID NO: 1 or its complement;
(b) an isolated polynucleotide sequence, or its complement, which encodes the amino acid sequence of SEQ ID NO: 2;
(c) an isolated polynucleotide comprising nucleotides 259 to 2130 of SEQ ID NO: 1 or its complement;
(d) an isolated polynucleotide consisting of at least 30 consecutive nucleotides of SEQ ID

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- NO: 1 or its complement;
- (e) an isolated polynucleotide consisting of at least 40 consecutive nucleotides of SEQ ID NO: 1 or its complement;
- (d) an isolated polynucleotide consisting of SEQ ID NO: 1 or a fragment of SEQ ID NO: 1 that encodes a polypeptide having the enzymatic activity of a DNA/RNA helicase; and
- inducing expression of the nucleic acid sequence.

56. (New) The method of claim 55, wherein the host cell is of the species *Corynebacterium glutamicum*.